

IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE FOR THE TWENTIETH
JUDICIAL DISTRICT AT NASHVILLE

STATE OF TENNESSEE,
Petitioner,

v.

EVELYN BESS and TINA HARRIS,
individually and doing business as
DIVORCE RELIEF,

Respondents

PETITION

Paul G. Summers, Attorney General and Reporter for the State of Tennessee, (hereinafter "Attorney General"), files this Petition pursuant to Tenn. Code Ann. § 47-18-107 of the Tennessee Consumer Protection Act of 1977 (hereinafter "the Act"), and would respectfully show the Court as follows:

1. The Attorney General, acting pursuant to the Act, has investigated certain acts and practices of Evelyn Bess and Tina Harris, individually and doing business as Divorce Relief (hereinafter "Respondents"). Upon completion of such investigation, the Attorney General has determined that certain of Respondents' acts and practices, more specifically described in Paragraph 2 of this Petition, constitute unfair and deceptive acts or practices affecting the conduct of trade or commerce in the State of Tennessee in violation of Tenn. Code Ann. § 47-18-101 et seq. (the Tennessee Consumer Protection Act). More specifically, Respondents' conduct is violative of Tenn. Code Ann. §§ 47-18-104(a), (b)(2), (b)(3), (b)(5), (b)(7), (b)(12) and (b)(27). The Attorney General has also determined that certain of Respondents' acts and practices, more specifically described in Paragraph 2 of this Petition, were in violation of Tenn. Code Ann. § 23-3-101 et seq. (the Unauthorized Practice and Improper Conduct Statute).

2. Based upon the investigation of Respondents, the Attorney General alleges the following:

(A) Respondents Eveyln Bess and Tina Harris doing business as Divorce Relief offered for sale to Tennessee consumers certain services to produce legal documents without an attorney preparing or reviewing the documents.

(B) The Respondents offered to prepare legal documents such as divorce pleadings to Tennessee consumers for a fee. The Respondents do not employ a licensed attorney for the regular conduct of their business. The Respondents actually prepared divorce pleadings for a fee for twelve consumers.

(C) Respondents advertised their ability to provide legal services to consumers even though Respondents could not legally provide those advertised services since they were not attorneys and did not employ attorneys.

(D) Respondents' conduct constitutes unfair and deceptive acts or practices and constitutes practicing law without a license.

3. Respondents neither admit nor deny the allegations of Paragraph 2 (A)-(D).

4. The Attorney General entered into negotiations with Respondents and the parties have agreed to, and the Division of Consumer Affairs (hereinafter "Division") has approved, the attached Assurance of Voluntary Compliance.

5. In accordance with the provisions of Tenn. Code Ann. § 47-18-107(c), the execution, delivery and filing of the Assurance does not constitute an admission of prior violation of the Act.

6. The Division, the Attorney General, and the Respondents, the parties who are primarily interested in the matters set forth in Paragraph 2 hereof, have jointly agreed to the Assurance of Voluntary Compliance and join in its filing.

PREMISES CONSIDERED, Petitioner prays:

1. That this Petition be filed without cost bond pursuant to the provisions of Tenn. Code Ann. §§ 20-13-101 and 47-18-116.

2. That the Assurance of Voluntary Compliance be approved and filed in accordance with the provisions of the Tennessee Consumer Protection Act.

